

STATE OF ILLINOIS  
ILLINOIS COMMERCE COMMISSION

Z-TEL COMMUNICATIONS, INC.	}	
	}	
Complainant	}	
	}	
vs.	}	Docket No. 02-0160
	}	
ILLINOIS BELL TELEPHONE COMPANY,	}	
d/b/a AMERITECH ILLINOIS	}	
	}	
Respondent	}	

**Z-TEL COMMUNICATIONS, INC.’S INITIAL BRIEF ON REHEARING  
RELATED TO WHETHER AMERITECH SHOULD DISCONTINUE  
THE DELIVERY OF THE LOCAL LOSS REPORT**

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Z-Tel Communications, Inc., by its attorneys O’Keefe, Ashenden, Lyons and Ward, pursuant to ALJ order, states as follows for its initial brief on rehearing with regard to the issue of parity. Based on the evidence of record and the foregoing memorandum, Z-Tel requests 1) that the Commission deny Ameritech’s request to terminate the delivery of the Local Loss Report to CLECs and 2) that the Commission compel Ameritech to develop the necessary Application-to-Application software systems that will allow CLECs to retrieve ASON-generated service order records through Verigate.

**I. INTRODUCTION**

In December 2000, almost two years ago, Z-Tel first began registering complaints with Ameritech that its 836 LLN process was defective and was causing considerable harm to ZTel’s ability to serve customers. After well more than a year of registering

these complaints and attempting to have Ameritech find a solution to its problem, Z-Tel was finally forced to file this complaint with the Commission. During the course of the proceeding, Ameritech conceded that the 836 LLN process that Ameritech forced Z-Tel to use was rife with design defects and problems.

Through the testimony and cross-examination of the witnesses, it became clear that there is a history of defects in the line loss processes. Moreover, it became clear that Ameritech was discriminating against Z-Tel because Ameritech was using the “Ameritech Service Order Negotiation” (ASON) system to generate a Disconnect Report for its Winback Marketing Group that included significantly more information than what was made available to CLECs in the 836 LLN. From this, Z-Tel asserted that the only manner in which to achieve parity in the provision of OSS, and to comply with Section 13-801 of the Illinois Public Utilities Act, 220 ILCS 5/13-801, was to ensure that all the Operations Service and Support (“OSS”) information that is made available to Ameritech’s retail operations is made equally available to Z-Tel. Z-Tel would not accept Ameritech delineating for Z-Tel what OSS information Z-Tel could get for Z-Tel’s customers. The central database that processes service orders for Z-Tel customers, ASON, must be made available in the same manner and timeframes as that provided to Ameritech’s retail operations. Only when all OSS information was made available to Z-Tel in the same manner that Ameritech provided OSS information to its own customers could parity be achieved.

After a thorough review of the record before it, the Commission concluded in its May 8, 2002 Order that Ameritech’s line loss report provided to its own retail operations (referred to by Ameritech on rehearing as the “Local Loss Report”) contained superior

and additional information than that Ameritech provides to Z-Tel. May 8, 2002 Order (“Order”) at 15-18. The Commission held that Ameritech should provide parity in its disconnect process and should provide Z-Tel with a notice that is sent in the same timeframes and contains as much information as that sent to Ameritech’s retail and Winback business units. *Id.* The Commission further ordered that Ameritech provide to CLECs the same Local Loss Report that Ameritech made available to its Winback Marketing Group.

In its Application for Rehearing, Ameritech claims that the information in the Local Loss Report is redundant to the information in the 836 LLN, requiring Ameritech Illinois to provide data that both is economically wasteful and provides no added benefit to the CLECs. *See*, Ameritech Application for Rehearing, at p. 10. Thus, the issue for determination in this brief is whether it is indeed accurate that the information provided to CLECs in the Local Loss Report is redundant, and whether Ameritech has satisfied its burden to show that the Commission should alter its previous order that Ameritech must provide parity in the line loss disconnection information provided to Z-Tel.

**A. Z-Tel Position on Rehearing.**

Z-Tel opposes Ameritech’s request to amend the May 8, 2002 order. The evidence is clear that the Local Loss Report provided by Ameritech provides information that is useful to CLECs managing their operations. Indeed, even Ameritech acknowledges that 29 CLECs retrieve the Local Loss Report information from Ameritech. In addition, the Local Loss Report provides CLECs 12 data fields that are not provided to CLECs in the 836 LLN. The information provided to CLECs in the Local

Loss Report is not redundant to the information provided on the 836 LLN, and is clearly worthwhile to CLECs. The Commission should reject Ameritech's request.

Z-Tel requests that the Commission make clear in its order that Ameritech is required to provide CLECs with "nondiscriminatory rates, terms, and conditions for the preordering, ordering, provisioning, maintenance and repair, and billing functions of [Ameritech's] operations support systems . . . ." 220 ILCS 5/13-801. To comply with this provision, Ameritech must not only provide the Local Loss Report, but should also make available to CLECs the information that is maintained in the ASON database. On cross-examination, Ameritech witness Lawson indicated that Ameritech does indeed permit CLECs to retrieve data from the ASON database, through the Verigate processes that are available to CLECs<sup>1</sup>. Tr. 491. However, in order for CLECs to retrieve this information in the same way that ASON records are delivered to Ameritech's retail operations, someone would have to develop "application to application" software to retrieve ASON records in a batch basis. Tr. 491.

Z-Tel has requested since its initial brief the ability to retrieve ASON records through a batch process (being able to download, in a single process, all of Z-Tel's customer service records for a day, rather than viewing and having to download each customer record separately.)<sup>2</sup> On cross-examination, Ms. Lawson acknowledges that the delivery of this information is possible.

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<sup>1</sup> Verigate is the name of the Ameritech's online, Internet based software driven process by which CLECs view service orders.

<sup>2</sup> To be precise, Z-Tel requested that Ameritech deliver these records to Z-Tel. Z-Tel would agree that making these records available to retrieve, for purposes of this case, is the same as having those records delivered.

Ameritech's refusal to develop the necessary systems to delivery ASON records to Z-Tel (through Verigate or otherwise) provides CLECs with OSS that is *not* in parity with the processes that Ameritech makes available to its own retail operations. Z-Tel requests that the Commission order Ameritech to comply with Section 13-801, and the requirement for parity, by making available ASON records (through a direct connection with ASON, or through Verigate) to Z-Tel in the same manner that Ameritech makes these records available to its retail operations. If this means that Ameritech is required to develop "application to application" software, then Ameritech should be ordered to create those applications. Ameritech is required, pursuant to Section 13-801(e) of the Illinois Public Utilities Act and the Commission's Order in this case to provide CLECs with the same fluid and efficient access to OSS data that Ameritech's retail operations have. The record is clear, that Ameritech discriminates in the process by which it makes this information available.

**B. The Evidence From the Initial Hearing and on Rehearing Show that Ameritech is Required to Provide OSS Information to CLECs in Parity With the OSS Information Provided to Ameritech's Retail Operations.**

On February 25, 2002, Z-Tel filed its Verified Complaint and Request for Emergency Relief seeking relief from Ameritech's unlawful and unjust provisioning of line loss notices. Z-Tel claimed that, pursuant to Section 13-801 of the Illinois Public Utilities Act (the "Act"), Ameritech has an obligation to provide Z-Tel with nondiscriminatory access to Ameritech's Operations Support Systems ("OSS") that are used for the "preordering, ordering, provisioning, maintenance and repair, and billing functions of the incumbent local exchange carrier's operations . . . ." 220 ILCS 13-

801(e). Z-Tel also claimed that Ameritech's failure to provide accurate and timely line loss notifications were a violation various portions of 220 ILCS 5/13-514.

The evidence on the record demonstrates that the information that is delivered to Z-Tel on an 836 LLN is limited to the telephone number of the person that disconnects, and the date of disconnection. However, the evidence in the initial phase of this proceeding shows that once an Ameritech retail representative enters a change order for one of its customers into ASON, a "mirror" copy of that data file is delivered immediately to several Ameritech-retail operating units. Tr. 375. Through this process, Ameritech's retail operations are provided with at least 19 fields of additional information and data transmissions from the ASON database that contains significantly more useful information that it can use for a variety of reasons, including billing and Winback. Z-Tel Initial Brief, p. 25-26 (citing Tr. 224-225; 295-297; Z-Tel Cross Ex. 3.)

In its order, the Commission agreed with Z-Tel and held that Ameritech's actions violated both Section 13-801 and Section 13-514. *Order* at 15-18. In particular, the Commission held that Ameritech unreasonably provided Z-Tel inferior and discriminatory access to operations support systems ("OSS") in violation of Section 13-514(9), 13-514(11) and 13-801. *Id.* The Commission noted specifically that "[g]iven that Ameritech is providing Z-Tel inferior *access* to its OSS, it is in violation of 13-514(9), 13-801 and 13-514(11) of the Act." *Id.* at 17 (emphasis added). The Commission further found that Ameritech acted unreasonably by impairing the speed, quality or efficiency of services used by Z-Tel through the provisioning of untimely and inaccurate 836 LLNs as prohibited by Section 13-514(2), and that such action, or lack

thereof, had an adverse effect on the ability of Z-Tel to provide service to its customers.  
*Id.* at 16.

With regard to the provisioning of the Local Loss Report and providing “parity” to Z-Tel in the disconnection process, the Commission noted that “[a]mple evidence was provided at hearing showing that the enhanced LLN that Ameritech Winback receives contains more data fields and is generated at an earlier stage than the notice sent to Z-Tel.” Order at 19. As such, the Commission held that Z-Tel should have the option of receiving more detailed OSS information about disconnected customers, containing the same data fields as are currently sent to Ameritech’s retail and Winback business units.” *Id.* That is, the Commission required “parity” in the line disconnection process. Notably, the Commission ordered that Ameritech not only provide CLECs with the same OSS information that is provided to Ameritech’s retails, but further ordered that Ameritech make this information available through the same processes. The Commission held that:

we do find that it would be beneficial for CLECs and customers for CLECs to have the option to receive more detailed OSS information concerning a lost customer’s records. Once Ameritech has in place a system where Z-Tel can choose between the 836 LLN and/or a notice ***that is sent in the same timeframes and contains as much information as that currently sent to Ameritech’s retail and Winback business units***, then Ameritech Winback may use the enhanced LLN again.

Order at 19 (emphasis added); See also Order at 17 (it is a violation of Section 13-801 for Ameritech to provide Z-Tel with “inferior access to OSS information.”)

Ameritech filed an Application for Rehearing asking, *inter alia*, that the Commission rehear its determinations regarding parity in the provisioning of line loss notifications. In its Application, Ameritech argued the provisioning of the enhanced line disconnection information to Z-Tel is not needed to provide parity.



Consequently, provision of the line disconnect file to Z-Tel or other CLECs is not necessary to establish parity. Furthermore, since the information in the line disconnect file is redundant to the information in the 836 LLN, requiring Ameritech Illinois to provide both is economically wasteful and provides no added benefit to the CLECs.

Ameritech Application for Rehearing at 10. The Commission granted Ameritech's Application for Rehearing. For purposes of this brief, the issue on rehearing is to determine what is required to achieve parity in the customer disconnection process. Tr. 424.

**C. The Local Loss Report, Which Ameritech Wishes to Terminate, Contains OSS Information That CLECs Are Using.**

The evidence on rehearing indicates that the 836 LLR provides only the working telephone number and the date of disconnection. Z-Tel Ex. 7.0 at 5. The Local Loss Report, however, contains the following information:

1. The CLEC identifier;
2. The working telephone number;
3. The reason the customer migrated;
4. The customer ID;
5. The transaction code;
6. The customer code associated with the bill number;
7. The billed number;
8. The customer code associated with the account;
9. The main telephone number associated with the account;
10. The state code associated with the account; and,
11. The type of facilities used to serve that customer.

*See*, Z-Tel Ex. 7.0 at 5, 8; Z-Tel Ex. 7.2; Ameritech Ex. 3.0 at Schedule A.

While Ameritech claims that it no longer relies on the Local Loss Report for its Winback group, it is clear that Ameritech's retail business units still have access to the ASON service orders which contain this same information. Z-Tel Ex. 7.0 at 7-8 ; Z-Tel Ex. 7.1. Ameritech's retail operations are provided access to the information through the delivery of change records from ASON. Ameritech has several different databases that

share information. Chief among these systems is the ASON. All service orders for Ameritech and Z-Tel customers are completed using the ASON database. Any change in a customer's service, including a disconnection, is provisioned through the ASON systems. See, Z-Tel Ex. 7.1 (Ameritech's Responses to Z-Tel's Interrogatory 7, wherein Ameritech indicates that its ASON system is the interface that Ameritech's retail service representatives use to create, edit, distribute and control service orders, which is then available both in the ASON and in downstream systems). The information in the ASON records for service orders is available to Ameritech's retail operation through a single batch delivery of change records.

While Ameritech's retail operations have access to a single batch delivery of change records, neither the 836 LLN nor the Local Loss Report provide the same set of data to CLECs. Z-Tel Ex. 7.0 at 7-8 ; Z-Tel Ex. 7.1. The 836 LLN and the Local Loss Report is provided to Z-Tel in two separate reports. Z-Tel Ex. 7.0 at 6 ; Tr. at 490-492, 522-524. CLECs can access the ASON records for service orders, but only on an individual case basis or through the newly-announced development of an application-to-application software. Tr. 491.

Staff witness Weber agrees with Z-Tel that the information contained in the 836 LLN cannot be considered redundant to the Local Loss Report provided to Ameritech. Staff Ex. 3.0 at 2. Staff also asserts that just because Ameritech's retail organization has now determined that it will not use the LLR or the data fields on the LLR, it should not be allowed to automatically stop providing those additional data fields to the CLECs. *Id.* at 3.

Ameritech Illinois should not be able to dictate what information it will and will not make available to the CLECs and change the information which is provided

because their retail organization has subsequently determined it no longer requires or uses the information.

*Id.* Ultimately, Staff witness Weber recommends that the Commission enter an order mandating that Z-Tel be able to receive the ASON information from a single source rather than requiring Z-Tel to access multiple methods to retrieve the data. Tr. at 522-523.

Ameritech disclosed in rebuttal (for the first time) that in fact the ASON data is available to Z-Tel through the Verigate System interface. Lawson Rebuttal, Ameritech Ex. 4.0, Schedule C; Tr. at 489. Under this process, Z-Tel is able to view the service order on an individual case basis to get the particular ASON information for a single, specific disconnect service order. Tr. at 490-492, 511. Thus, in order for Z-Tel to have access through Verigate to ASON records to which Ameritech's retail operations have access, Z-Tel is required to search each and every service order for all of its customers on an individual case basis. Tr. at 511.

On cross examination, Ameritech witness Lawson informed Z-Tel for the first time that it was possible to develop an application-to-application interface that would allow Z-Tel and other CLECs to receive the ASON information in a single batch. Tr. 490-492. Ameritech is would be able to program an interface with Ameritech's systems that would allow for a daily download of all service orders applied to its identifying code and set it up to pull the detail for each of those service orders that is a disconnect order. Tr. at 511.

Based on the foregoing, the Commission should in no way modify its prior order compelling Ameritech to make the Local Loss report available to CLECs. In addition, the Commission should compel Ameritech to develop the necessary application to

application software systems to make the ASON service order records available to CLECs in a way that will provide CLECs access to the same OSS information as is made available to Ameritech's retail operations.

## **II. THE COMMISSION SHOULD DENY AMERITECH'S REQUEST TO TERMINATE THE LOCAL LOSS REPORT.**

Ameritech requests in its Application for Rehearing that the Commission alter its previous conclusion that Ameritech is required to offer ZTel the option to receive the Local Loss Report that Ameritech retail currently receives in addition to the 836 LLN. Ameritech Application for Rehearing at 10. As a basis for this request, Ameritech claims that "since the information in the line disconnect file is redundant to the information in the 836 LLN, requiring Ameritech Illinois to provide both is economically wasteful and provides no added benefit to the CLECs." *Id.* ZTel strongly opposes Ameritech's request to discontinue the provision of the Local Loss Report.

The evidence on rehearing belies Ameritech's assertions that the information is redundant to the information in the 836 LLN. In fact, as explained above, the Local Loss Report provided to Ameritech's retail operations are not redundant to the information in the 836 LLN. In point of fact, there are at least 10 data fields in the Local Loss Report for each service order that are not provided in the 836 LLN. These data fields include:

1. the Disconnect Reason Code;
2. the Due Date of the disconnection;
3. the Transaction Code;
4. Billing Telephone Customer Number;
5. Billing Telephone Customer Code;
6. Account Telephone Number;
7. Account Telephone Number Customer Code;
8. Business Unit;
9. State code;
10. reseller identification.

(Lawson Direct on Rehearing, Am. Ex. 3.1.) The 836 LLN only provides the date of disconnection and the working telephone number.

For purposes of whether the LLR should be discontinued, it is not determinate that Ameritech's Winback group relies on the 836 LLN for disconnect notice. The evidence shows that there is a demand for this information as a number of CLECs have been accessing and retrieving these files from Ameritech. As Ameritech itself indicates, as of July 23, 2002, at least 25 CLECs retrieve the LLR via the website, and at least 4 CLECs have requested to receive the LLR via email. Ameritech Ex. 3.0 at 4-5. Ameritech's request, if granted, would deny this information to these CLECs.

The Commission should remember too that it compelled Ameritech to provide the LLR because it found that it would be discriminatory for Ameritech to have access to this OSS information, while still denying this information to CLECs.

In short, the interest is there for the LLR. Ameritech seeks through this rehearing proceeding to be the sole decision maker as to what information it will give to the CLECs. Z-Tel believes that the LLR provides CLECs with useful and needed information and Ameritech should not be the entity that unilaterally decides this useful information should be withheld from the CLECs. As Staff witness Weber argued:

Ameritech Illinois should not be able to dictate what information it will and will not make available to the CLECs and change the information which is provided because their retail organization has subsequently determined it no longer requires or uses the information.

Staff Ex. 3.0 at 4. The bottom line is that the information contained in the Local Loss Report database is desirable to CLECs and the Commission should not modify its prior orders.

Until Ameritech makes all OSS information available to CLECs in a single-integrated process that is in parity with the process by which Ameritech retail operations receive OSS information, Ameritech should not be permitted to terminate the delivery of the Local Loss Report.

**II. FOR AMERITECH TO PROVIDE ‘PARITY’ UNDER SECTION 13-801, AMERITECH MUST PROVIDE CLECS WITH THE SAME OSS DATA THAT AMERITECH PROVIDES ITS OWN RETAIL OPERATIONS AND IN A MANNER THAT DOES NOT IMPOSE UNDUE BARRIERS TO GAIN ACCESS TO THE INFORMATION.**

Since the initial hearings in this proceeding, Z-Tel has argued that to achieve parity, all information in the ASON database, including the service order information, must be made available in the same manner and in the same timeframes as that provided to Ameritech’s retail operations. The Commission agreed with Z-Tel and held that Ameritech Illinois’ retail operations were receiving a superior line loss report that “contains more data fields and is generated at an earlier stage than the notice sent to Z-Tel.” Order, p. 19. The Order held that Z-Tel and other CLECs should have the option to receive this LLR, and directed Ameritech Illinois provided Z-Tel and other CLECs with the LLR. *Id.* Nothing has changed since the rehearing was granted that would warrant reversing the Commission’s previous decision. As such, the Commission should follow through on its determination and enter an order on rehearing mandating that Ameritech must to provide ASON service orders in a single batch and through a single interface. To the extent that additional software is needed to allow CLECs to retrieve ASON records (through Verigate or otherwise) the Commission should compel Ameritech to develop those software systems.

It is crystal clear that Ameritech continues to deliver OSS information to its retail operations through a process that is not in parity with the process by which this information is made available to CLECs. Ameritech's retail operations are provided access to the service order information in a batch delivery of change records through the ASON process. All service orders for Ameritech and ZTel customers are completed using the ASON database. Any change in a customer's service, including a disconnection request, is provisioned through the ASON systems. See, ZTel Ex. 7.1 (Ameritech's Responses to ZTel's Interrogatory 7, wherein Ameritech indicates that its ASON system is the interface that Ameritech's retail service representatives use to create, edit, distribute and control service orders, which is then available both in the ASON and in downstream systems). Once an Ameritech retail representative enters a change order into ASON, a "mirror" copy of that data file is delivered immediately to several Ameritech-retail operating units. Tr. 375 (original proceeding.) When the ASON record is changed due to a customer's changing their service, ASON will automatically distribute a mirror copy of that data record "downstream so that other [Ameritech] departments have it." Tr. 222 (original proceeding.) Because this additional information is delivered in a single-integrated process, Ameritech is able to use the ASON record as an additional tool in its retail systems. For example, ASON distributes change order information to Ameritech's billings system (ACIS) to automatically update the customer bill records, and to "suspend billing to that customer." Tr. 406.

The service order information in the ASON system is available to Ameritech's retail operation in a single-integrated process. While Ameritech's retail operations have access to a single batch delivery of change records, CLECs do not have such a luxury.

Unlike the single-process enjoyed by Ameritech's retail units, the 836 LLN and the Local Loss Report are provided to Z-Tel in two separate reports. Z-Tel Ex. 7.0 at 6 ; Tr. at 490-492, 522-524. In addition, CLECs can access the ASON records for service orders, but only on an individual case basis. In order to receive the same information that Ameritech's retail operations get, Z-Tel must do all or some of the following:

1. receive and process an accurate and timely 836 LLN;
2. receive and process the Local Loss Report; and,
3. access Verigate through the Internet, and download, on a record-by-record basis, the customer service records associated with Z-Tel's customers.

Z-Tel Ex. 7.0 at 78 ; Z-Tel Ex. 7.1 ; Tr. 522. According to Ms. Lawson, Ameritech makes ASON data available to CLECs through its web-based Verigate system. Tr. at 491-493, 509-511. The Verigate system provides a copy of the same service order information that is available on ASON, but limits its generation to only provide access to a single service order request at a time. Tr. at 511. As such, a CLEC using Verigate are unable to review the service order information of all its disconnection requests in a single, downloadable report.

The record is clear that Ameritech does not make OSS information available to CLECs in a manner that is in parity with the delivery of information to its retail systems. In order to be able to download all service orders related to a particular CLEC, Ameritech would have to develop an application-to-application software interface. Tr. at 511. With additional software changes, a CLEC would be able to pull the detail in a single batch for each of the disconnect service orders. Tr. at 511.



As Staff witness Weber correctly pointed out, the most important recommendation that should be adopted in this rehearing proceeding is that ZTel have access to the information to which Ameritech has access. In cross-examination from ALJ Haynes, Ms. Weber stated:

- Q. What is your recommendation and which report should be provided, what would staff recommend to be provided to CLEC – or Z-Tel, excuse me.
- A. ***I think the most important is that the information needed is provided.*** There are multiple methods by which that information can be provided, as I previously stated. Right now the information that Z-Tel is requesting is provided by multiple methods, there is not today one method that they can get – there is not one method in which the information is submitted to them at one time.
- So as a practical matter, of course from staff's perspective it makes sense to receive that information from a single source, or being sent from [Ameritech] at a single time instead of requiring the CLECs to access multiple methods to retrieve that information.***

Tr. at 522-523.

The ability to retrieve in a single batch all of the information available in the ASON database was not made clear to ZTel prior to the cross examination of Ms. Lawson. Assuming Ms. Lawson's testimony is to be believed, Ameritech can achieve parity in the delivery of OSS information, and comply with the Commission's May 8, 2002 order by developing application-to-application software systems that will allow Z-Tel to retrieve ASON-generated records (through Verigate) in the same single-process that Ameritech's retail operations do. To achieve parity in the delivery of OSS information, the Commission should order Ameritech to develop such software systems and make those systems available to competing CLECs.

## CONCLUSION

Wherefore, for each of the foregoing reasons, Z-Tel requests that the Commission enter and order denying Ameritech's request to terminate the delivery of the Local Loss

Report to competitive local exchange carriers. Z-Tel further requests that the Commission compel Ameritech to comply with Section 13-801 by allowing competitive local exchange carriers to retrieve and download ASON records through Verigate in parity with the process by which of Ameritech's retail operations to also receive those records. The Commission should order Ameritech to develop such application-to-application software as necessary to comply with this requirement.

Respectfully submitted,

Z-TEL COMMUNICATIONS, INC.



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By one of its attorneys

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